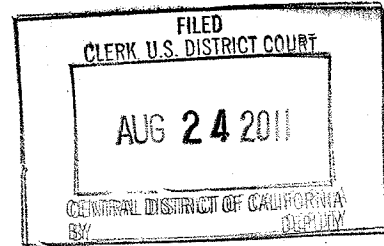


BRYAN CAVE LLP

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Attorneys for Defendants MEHUL PATEL
aka MIKE PATEL; CHIRAG PATEL
aka CHUCK PATEL; NEWCREST HOTELS,
LTD.; and CORSICANA LODGING, LLC.

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

JASBIR SANGHA,

Plaintiff,

v.

MEHUL PATEL aka MIKE PATEL;
CHIRAG PATEL aka CHUCK PATEL;
JAGMOHAN DHILLON; DHILLON
MANAGEMENT, INC., a California
corporation; HARMINDER DHILLON;
GURENDER S. SAHANI; TARLOCHAN S.
KATARIA; NEW HOPE HOSPITALITY,
LLC, STARLITE HOTELS, LTD, a Texas
limited partnership; NEWCREST HOTELS,
LTD, a Texas limited partnership;
CORSICANA LODGING, LLC, a Texas
limited liability company; and DOES 1
through 100, inclusive,

Defendants.

Case No.

CV11-06970 DSF(FMOx)

[Los Angeles Superior Court
Case No. BC459820]

**NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C. §§
1332 AND 1441
(DIVERSITY JURISDICTION)**

DEMAND FOR JURY TRIAL

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

2 PLEASE TAKE NOTICE THAT Defendants Mehul Patel, Chirag Patel,
3 Newcrest Hotels, Ltd., and Corsicana Lodging, LLC. (collectively, the "Removing
4 Defendants") hereby remove to this Court the state court action described below.

5 1. On March 15, 2011, Plaintiff originally filed this lawsuit in Superior
6 Court for Los Angeles County, California. Because that suit included a claim for
7 RICO violations under United States statutes, Defendant Jagmohan Dhillon
8 removed the case to this Court where it was assigned Case No. 2:11-cv-02974-
9 RGK-VBK. Upon removal, Plaintiff promptly dropped the suit ("the first suit")
10 pursuant to Federal Rule of Civil Procedure 41(a) on April 13, 2011.

11 2. On April 18, 2011, Plaintiff refiled his suit in Superior Court for Los
12 Angeles County, California where it was assigned the above captioned case number,
13 which is BC459820. In this second suit, Plaintiff asserts all of the same claims as
14 the first suit except Plaintiff dropped his RICO claim. Further, this second suit
15 involves all the same Defendants, except that Harinder Dhillon and Dhillon
16 Management, Inc., who Plaintiff contends are California residents, were added to
17 this second suit. A true and correct copy of the April 18, 2011 Complaint served on
18 the Removing Defendants by certified mail on July 26, 2011 is attached to this
19 Notice as Exhibit "A." Removing Defendants have not been served with a
20 summons in this action. Because there is diversity of citizenship between the
21 Plaintiff and Defendants and/or certain Defendants were fraudulently joined, the
22 Removing Defendants hereby remove this case.

23 3. This action is a civil action that could have been filed in this Court
24 pursuant to 18 U.S.C. § 1332, and is therefore one that may be removed to this
25 Court by the Removing Defendants pursuant to the provisions of 28 U.S.C. § 1441.
26 Furthermore, although Plaintiff has not pled a specific amount that he seeks in this
27 matter, the damages clearly exceed \$75,000.00 as required by 28 U.S.C. § 1332(b).
28 To this end, among other damages sought by Plaintiff, he seeks to rescind settlement

1 agreements under which he was paid at least \$200,000.00 by check and \$223,000.00
2 in promissory notes.

3 4. The Removing Defendants, as well as all other properly joined
4 Defendants, are and have been at all times relevant to this matter, including at the
5 time of filing, citizens and residents of other states or nations. To this end, the
6 moving Defendants are all citizens and residents of Texas. As Plaintiff himself pled
7 in his Complaint, Mehul Patel are Chirag Patel are citizens and residents of Texas.
8 Similarly, as Plaintiff's Complaint states Defendants Newcrest Hotel Ltd. is a Texas
9 limited partnership and Corsicana Lodging, LLC. is a Texas limited liability
10 company. Both are headquartered in Irving, Texas. *See* Exhibit B, company filings
11 with the Texas Secretary of State.

12 5. Further, upon information and belief, the Removing Defendants
13 understand that the remaining Defendants properly joined here are citizens and
14 residents of states or countries other than California, which is where Plaintiff is a
15 citizen and resides.

16 6. To this end, Jagmohan Dhillon is and has at all relevant times been a
17 resident and citizen of Texas. *See* Exhibit C, Declaration of Jagmohan Dhillon.¹

18 7. Similarly, the moving Defendants are informed and believe that
19 Defendant Dhillon Management, Inc. no longer exists.² Based on information and
20 belief, there is a Texas limited liability company named Dhillon Management, LLC,
21 headquartered in Frisco, Texas. *See* Exhibit E, Texas Franchise Tax Report.
22 Accordingly, it appears there is no California company by the name of Dhillon
23 Management, Inc. that can be a proper party to this suit. Further, the Removing
24

25 ¹ This case is related to Cause No. 2:11-cv-03724-RGK-VBK. It involves many of
26 the same Defendants, the transactions are similar, and both cases involve at least one
of the same properties.

27 ² The California Secretary of State's Office indicates that Dhillon Management, Inc.
28 is no longer an active and authorized company. *See* Exhibit D, California Secretary
of State report.

1 Defendants do not believe Plaintiff has stated a cause of action against Dhillon
2 Management or pled a factual basis that actually ties it to Plaintiff's causes of
3 action. Additionally, the Removing Defendants do not believe Dhillon
4 Management, LLC has been served in this matter.

5 8. Plaintiff has pled that Defendant Harminder Dhillon is a resident of
6 California. However, based on information and belief, the moving Defendants
7 understand that Defendant Harminder Dhillon's domicile is in the nation of India.
8 Furthermore, the moving Defendants do not believe Harminder Dhillon has been
9 served in this matter. They also believe Plaintiff has fraudulently joined him to this
10 suit. To this end, Plaintiff's Complaint does not actually state a cause of action
11 against him or plead a factual basis that actually ties him as an individual to
12 Plaintiff's causes of action. At most, Plaintiff has only articulated claims against
13 Harminder Dhillon in his capacity as an agent. Plaintiff has not sued him in his
14 individual capacity or capacity as a principle. Further to this end, Plaintiff's
15 Complaint here is almost identical to his Complaint in the first suit with two
16 substantive exceptions. First, Plaintiff dropped his federal RICO claim. Second,
17 Plaintiff added Harminder Dhillon and Dhillon Management, who he claims are
18 California residents, as Defendants.

19 9. Based on information and belief and as set forth in Plaintiff's
20 Complaint, Defendants Gurender Sahani and Tarlochan Kataria are citizens and
21 residents of the states of Connecticut and New York, respectively.

22 10. Additionally, based on information and belief and as set forth in
23 Plaintiff's Complaint, the Removing Defendants understand that Defendant New
24 Hope Hospitality, LLC is a Texas limited liability company with its headquarters
25 located in Corsicana, Texas. Additionally, the Removing Defendants do not believe
26 New Hope Hospitality, LLC has been served in this matter.

27 11. Further, based on information and belief and as set forth in Plaintiff's
28 Complaint, the Removing Defendants understand that Defendant Starlite Hotels,

1 Ltd. is a Texas limited partnership with its headquarters located in Corsicana, Texas.
2 Additionally, the Removing Defendants do not believe Starlite Hotels, Ltd. has been
3 served in this matter.

4 12. Furthermore, the members of the limited liability companies named as
5 Defendants here are all among the individually named Defendants or are citizens of
6 states other than California. For the reasons set forth above, to the extent a limited
7 liability company's residence is determined by the residency of its members, the
8 limited liability companies are not California residents or citizens.

9 13. For the foregoing reasons, there is complete diversity as required by 28
10 U.S.C. § 1332.

11 14. This removal is timely made because it is made within thirty (30) days
12 of the Removing Defendants' receipt of the Complaint and less than one year since
13 the case was originally filed. *See* 28 U.S.C. § 1446(b).

14 15. The other Defendants named in the Complaint who have been served in
15 this action, consent to and join in the removal of this action to federal court through
16 their counsel of record. *See Proctor v. Vishay Intertechnology Inc.*, 584 F.3d 1208,
17 1225 (9th Cir. 2009) ("[T]he filing of a notice of removal can be effective without
18 individual consent documents on behalf of each defendant. One defendant's timely
19 removal notice containing an averment of the other defendants' consent and signed
20 by an attorney of record is sufficient.").

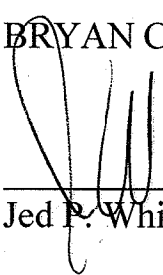
21 16. Recently, another matter asserting the same causes of action against
22 several of the same Defendants arising out the same or similar transactions was
23 removed to this Court. It was assigned Case No. 2:11-cv-03724-RGK-VBK.
24 Additionally, as mentioned, this case is a reincarnation of the suit brought by
25 Plaintiff earlier this year, which was removed to this Court and assigned Case No.
26 2:11-cv-02974-RGK-VBK before it was dismissed voluntarily by Plaintiff.
27 Accordingly, the Removing Defendants are concurrently filing a Notice of Related
28 case pursuant to Local Rule 83-1.3.

1 17. Notice of this removal will be provided to the state court immediately
2 upon receipt of a file stamped copy of this removal pursuant to 28 U.S.C. § 1446(d).

3 18. Exhibit A to this Notice of Removal, which is Plaintiff's Complaint,
4 comprises a copy of all of the process, pleadings, and orders served upon the
5 Removing Defendants in this matter.

6
7 Dated: August 24, 2011

BRYAN CAVE LLP

8
9
10 
Jed P. White

11 Attorneys for Defendants MEHUL PATEL
12 aka MIKE PATEL, CHIRAG PATEL aka
13 CHUCK PATEL, NEWCREST HOTELS,
14 LTD., and CORSICANA LODGING, LLC.
15
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EXHIBIT A

Exhibit A

**TO THE NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §§ 1332 AND 1441**

SUMMONS (CITACION JUDICIAL)

SUM-100

NOTICE TO DEFENDANT: MEHUL PATEL aka MIKE PATEL; CHIRAG (AVISO AL DEMANDADO): PATEL aka CHUCK PATEL; JAGMOHAN DHILLON; DHILLON MANAGEMENT, INC., a California corporation; HARMINDER DHILLON; GURENDER S. SAHANI; TARLOCHAN S. KATARIA; NEW HOPE HOSPITALITY, LLC, STARLITE HOTELS, LTD, a Texas limited partnership; NEWCREST HOTELS, LTD, a Texas limited partnership; CORSICANA LODGING, LLC, a Texas limited liability company; and DOES 1 through 100, inclusive

**YOU ARE BEING SUED BY PLAINTIFF: JASBIR SANGHA
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**CONFORMED COPY
OF ORIGINAL FILED**
Los Angeles Superior Court

APR 18 2011

John A. Clarke, Executive Officer/Clerk
By Amber LaFleur-Clayton Deputy
K. LALEUR-CLAYTON

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quedé más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

SUPERIOR COURT, COUNTY OF LOS ANGELES
111 N. HILL STREET
LOS ANGELES, CALIFORNIA 90012
CENTRAL DISTRICT

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Craig R. Smith, Esq. (#180338)

SMITH LAW FIRM, APLC

21550 Oxnard Street, Suite 760

Woodland Hills, California 91367

DATE:

(Fecha)

JOHN A. CLARKE, CLERK

AMBER LaFLEUR-CLAYTON

Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).)

(SEAL)

APR 18 2011

NOTICE TO THE PERSON SERVED: You are served

1. ☒ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify):

4. ☐ by personal delivery on (date):

RECEIVED

BY:

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 [Rev. July 1, 2009]

SUMMONS

Legal
Solutions

Page 1 of 1
Code of Civil Procedure §§ 412.20, 465

EXHIBIT A

PAGE 7

1 **CRAIG R. SMITH** (State Bar No. 180338)
2 **SMITH LAW FIRM**
3 **A Professional Law Corporation**
4 **21550 Oxnard Street, Suite 760**
5 **Woodland Hills, California 91367**
6 **Telephone: (818) 703-6057**
7 **Facsimile: (818) 703-6058**

8 Attorneys for Plaintiff Jasbir Sangha

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

APR 18 2011

John A. Clarke, Executive Officer/Clerk
By [Signature] Deputy
RECEIVED CLERK

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES**

11 **JASBIR SANGHA,**

12 **Plaintiff,**

13 **vs.**

14 **MEHUL PATEL aka MIKE PATEL; CHIRAG**
15 **PATEL aka CHUCK PATEL; JAGMOHAN**
16 **DHILLON; DHILLON MANAGEMENT, INC.,**
17 **a California corporation; HARMINDER**
18 **DHILLON; GURENDER S. SAHANI;**
19 **TARLOCHAN S. KATARIA; NEW HOPE**
20 **HOSPITALITY, LLC; STARLITE HOTELS,**
21 **LTD, a Texas limited partnership; NEWCREST**
22 **HOTELS, LTD, a Texas limited partnership;**
23 **CORSICANA LODGING, LLC, a Texas**
24 **limited liability company; and DOES 1 through**
25 **100, inclusive,**

26 **Defendants.**

CASE NO. **BC459820**

COMPLAINT FOR:

- 1) RESCISSION BASED ON FRAUD;
- 2) FRAUD;
- 3) FRAUD;
- 4) FRAUDULENT CONCEALMENT;
- 5) UNFAIR BUSINESS PRACTICE IN VIOLATION OF CALIFORNIA BUSINESS & PROFESSIONS CODE §17200 et seq.

27 COMES NOW Plaintiff, for causes of action against Defendants, and each of them, as follows:

28 **INTRODUCTORY ALLEGATIONS**

1. Plaintiff JASBIR SANGHA ("Sangha") is and at all times relevant herein was a resident of the County of San Bernardino, State of California.

1 2. Plaintiff is informed and believes and on the basis of said information and belief
2 alleges that Defendant MEHUL PATEL aka MIKE PATEL ("M. Patel") is and at all times
3 relevant herein was a resident of Dallas, Texas.

4 3. Plaintiff is informed and believes and on the basis of said information and belief
5 alleges that Defendant CHIRAG PATEL aka CHUCK PATEL ("C. Patel") is and at all times
6 relevant herein was a resident of Dallas, Texas.

7 4. Plaintiff is informed and believes and on the basis of said information and belief
8 alleges that Defendant JAGMOHAN DHILLON ("Dhillon") is and at all times relevant herein
9 was a resident of Dallas, Texas.

10 5. Plaintiff is informed and believes and on the basis of said information and belief
11 alleges that Defendant DHILLON MANAGEMENT, INC., ("DMI") was at all times relevant
12 herein was a California corporation with its principal place of business in Modesto, California.

13 6. Plaintiff is informed and believes and on the basis of said information and belief
14 alleges that Defendant HARMINDER DHILLON is and at all times relevant herein was a
15 resident of Modesto, California. At all times relevant herein, HARMINDER DHILLON acted as
16 on behalf of Dhillon, aided and abetted Dhillon in perpetrating all the acts alleged herein, and
17 acted in concert with Dhillon in perpetrating all the acts alleged herein.

18 7. Plaintiff is informed and believes and on the basis of said information and belief
19 alleges that Defendant GURENDER S. SAHANI ("Sahani") was at all times relevant herein was
20 a resident of the State of Connecticut.

21 8. Plaintiff is informed and believes and on the basis of said information and belief
22 alleges that Defendant TARLOCHAN S. KATARIA ("Kataria") was at all times relevant herein
23 was a resident of State of New York.

24 9. Plaintiff is informed and believes and on the basis of said information and belief
25 alleges that Defendant NEW HOPE HOSPITALITY, LLC, ("New Hope") is a Texas limited
26 liability company.

27 10. Plaintiff is informed and believes and on the basis of said information and belief
28 alleges that Defendant STARLITE HOTELS, LTD ("Starlite"), is a Texas limited partnership.

- 2 -

COMPLAINT

1 11. Plaintiff is informed and believes and on the basis of said information and belief
2 alleges that Defendant NEW CREST HOTELS, LTD ("New Crest"), is a Texas limited
3 partnership.

4 12. Plaintiff is informed and believes and on the basis of said information and belief
5 alleges that Defendant CORSICANA LODGING, LLC ("Corsicana") is a Texas limited liability
6 company.

7 13. Plaintiff is informed and believes and on the basis of said information and belief
8 alleges that Defendants and each of them are, and at all times herein mentioned were, the agents,
9 joint venturers, officers, members, representatives, servants, consultants or employees of their
10 co-Defendants, and in committing the acts herein alleged, were acting within the scope of such
11 affiliation with the knowledge, permission, consent or subsequent ratification of their
12 co-Defendants.

13 14. Plaintiff is informed and believes and on the basis of said information and belief
14 alleges that M. Patel and C. Patel on the one hand, and Sagestar, Corsican and Holdings on the
15 other hand, at certain times, all of which are relevant herein, have and had such unity of interest,
16 and that M. Patel and C. Patel controlled and dominated the businesses of Sagestar, Corsicana
17 and Holdings, that there existed a unity of ownership, interest and identity between these
18 Defendants.

19 15. Plaintiff is informed and believes and on the basis of said information and belief
20 alleges that adherence to the fiction of a separate existence of Sagestar, Corsicana and Holdings
21 as entities distinct from M. Patel and C. Patel would permit an abuse of corporate privilege and
22 would sanction fraud and promote injustice in that M. Patel and C. Patel and DOES 1 through
23 10, were in fact so intertwined with Sagestar, Corsicana and Holdings so as to make M. Patel, C.
24 Patel, Sagestar, Corsicana and Holdings one and the same. Plaintiff is informed and believes and
25 on the basis of said information and belief alleges that Sagestar, Corsicana and Holdings are
26 mere shells and a sham. Plaintiff is informed and believes and on the basis of said information
27 and belief alleges that Sagestar, Corsicana and Holdings were, at certain relevant times herein,
28 the alter-egos of M. Patel and C. Patel in that M. Patel and C. Patel used the assets of Sagestar,

1 Corsicana and Holdings for their own use, freely transferred property between them, commingled
2 funds, and kept inadequate and deficient corporate records.

3 16. Plaintiff is informed and believes and on the basis of said information and belief
4 alleges that Dhillon and HARMINDER DHILLON on the one hand, and Starlite, New Hope,
5 New Crest and DMI on the other hand, at certain times, all of which are relevant herein, have and
6 had such unity of interest, and that Dhillon and HARMINDER DHILLON controlled and
7 dominated the businesses of Starlite, New Hope, New Crest and DMI, that there existed a unity
8 of ownership, interest and identity between these Defendants.

9 17. Plaintiff is informed and believes and on the basis of said information and belief
10 alleges that adherence to the fiction of a separate existence of Starlite, New Hope, New Crest and
11 DMI as entities distinct from Dhillon and HARMINDER DHILLON would permit an abuse of
12 corporate privilege and would sanction fraud and promote injustice in that Dhillon and
13 HARMINDER DHILLON and DOES 11 through 20, were in fact so intertwined with Starlite,
14 New Hope, New Crest and DMI so as to make Dhillon, HARMINDER DHILLON and Starlite,
15 New Hope, New Crest and DMI one and the same. Plaintiff is informed and believes and on the
16 basis of said information and belief alleges that Starlite, New Hope, New Crest and DMI are
17 mere shells and a sham. Plaintiff is informed and believes and on the basis of said information
18 and belief alleges that Starlite, New Hope, New Crest and DMI were, at certain relevant times
19 herein, the alter-egos of Dhillon and HARMINDER DHILLON in that Dhillon and
20 HARMINDER DHILLON used the assets of Starlite, New Hope, New Crest and DMI for their
21 own use, freely transferred property between them, commingled funds, and kept inadequate and
22 deficient corporate records.

23 18. Defendants DOES 1 through 100, inclusive, are sued pursuant to the provisions of
24 California Code of Civil Procedure, Section 474. Plaintiff is ignorant of the true names and
25 capacities of Defendants DOES 1 through 100. Plaintiff is informed and believes and on the
26 basis of said information and belief alleges that all fictitiously named Defendants and each of
27 them have some connection with the activities herein complained of, and are responsible in some
28 way for the wrongful conduct herein alleged.

1 19. Plaintiff is informed and believes and on the basis of said information and belief
2 alleges that M. Patel, C. Patel and Dhillon engaged in a scheme to defraud buyers of hotel real
3 estate and businesses in the State of Texas. As part of that scheme, these Defendants would
4 travel to other states to find buyers.

5 20. Plaintiff is informed and believes and on the basis of said information and belief
6 alleges that the scheme operated as follows: M. Patel and C. Patel used their various entities
7 would pose as real estate developers who built and sold hotels. Dhillon posed as a successful
8 real estate developer and hotelier who would purchase hotel properties from M. Patel and C.
9 Patel. Dhillon would then pitch the investment to California investors promising high returns
10 and guarantees of their investment. Dhillon then caused the buyers to sign land sale contracts
11 with severe forfeiture provisions in order to lock the investors into the transaction and secure
12 their funds. Dhillon would solicit enough investors to accumulate cash sufficient to obtain bank
13 financing for the transactions. Dhillon would then form an entity to act as buyer, and enter into
14 a new contract with the Patel Defendants under the entity name. Dhillon then moved the buyers'
15 funds into the new buyer entity and seek bank financing, oftentimes on the credit and guarantees
16 of the investors, to purchase the hotel from the Patel Defendants at inflated prices.

17 21. Once the transactions were consummated, Dhillon and the Patel Defendants
18 would split the proceeds of the sale.

19 22. The relationship between Dhillon, on the one hand, and M. Patel and C. Patel on
20 the other hand, was at all times concealed from Plaintiff by Dhillon and Patel Defendants

21 23. In or early part of 2007, Dhillon traveled to the Los Angeles to meet with
22 Plaintiff. Like Plaintiff, Dhillon is of Indian descent and he used his heritage, religion and culture
23 as a means to feign trust in Plaintiff.

24 24. Dhillon represented himself to be a successful real estate investor and hotelier
25 who could deliver profitable hotel real estate investments. Dhillon claimed to be able to deliver
26 cash returns of at least 20%. Even if funds were being borrowed on home equity lines or credit
27 cards, others had made money by investing with him and he could deliver the same or better
28

1 results. Plaintiff had no prior experience within the hotel industry and the Texas hotel market,
2 relied solely upon the representations of Dhillon and his alleged knowledge and expertise.

3 25. In February 2007, Dhillon presented an investment opportunity in a yet to be
4 constructed hotel in Palestine, Texas. Dhillon represented that he would be Plaintiff's partner in
5 the investment. Based on the representations and assurances of Dhillon, Plaintiff invested
6 \$50,000.

7 26. In or about July 2007, Dhillon presented two investment opportunities to Plaintiff
8 for a soon to be built Hampton Inn in Sweetwater, Texas ("Sweetwater") and Holiday Inn
9 Express in Ennis, Texas ("Ennis"). Dhillon lured Plaintiff into these investments with promises
10 of high returns and "guarantees" of his investment and that he "could get their money back at
11 anytime within the first year" if they were unsatisfied. Dhillon presented in the form of a
12 Contract for Deed. Dhillon included one Harwant Dhillon as a buyer, to whom Dhillon
13 represented was his father.

14 27. The seller of Sweetwater was only to be known as the Buyers as West Texas
15 Hotels, LLC and the seller of Ennis only as Ennis Lodging, LLC. Unbeknown to Plaintiff, West
16 Texas Hotels, LLC and Ennis Lodging, LLC were fronts for M. Patel and C. Patel and these
17 transactions were an enterprise of the Defendants.

18 28. Dhillon presented yet another hotel investment to Plaintiff. This time it was two
19 hotels on adjoining lots in Corsicana, Texas; a Holiday Inn Express and a Hampton Inn (the
20 "Corsicana Properties"). The transaction differed from the prior transactions, as the investors
21 were putting their money into entities solely run and operated by Dhillon. Starlite Hotels, LLC
22 was the purchaser of the Holiday Inn Express and New Hope Hospitality, LLC was the purchaser
23 of the Hampton Inn.

24 29. The transaction was done in two parts: The transaction for the Holiday Inn
25 Express was purchased with traditional financing and the Hampton Inn was purchased with a
26 Contract for Sale, which was financed in July 2008. The total purchase price was \$15.25 million.
27 Plaintiff, together with other investors lured into the transaction by Dhillon, invested \$323,700
28 into Starlite and New Hope. When Dhillon formed Starlite and New Hope, he used

1 HARMINDER DHILLON as a member and managing member so that DHILLON could
2 manipulate and control these entities.

3 30. Construction on Ennis was completed and Dhillon began operating the hotel.

4 31. The scheme unraveled in August 2009. After returning from a trip to India,
5 Plaintiff discovered that Dhillon had forged Plaintiff's signature to loan documents, and used
6 false and fraudulent financial statements in an effort to obtain bank financing to pay the Patel
7 Defendants for the Holiday Inn Express - Ennis transaction. Plaintiff obtained the fraudulent
8 documents from One World Bank and at that time advised One World Bank of the fraudulent
9 nature of the documents.

10 32. At that time, Plaintiff also advised Dhillon and the Patel Defendants that he had
11 discovered their scheme. It was at that time that Plaintiff sought to terminate his relationship
12 with Dhillon and the Patel Defendants and get back all the money he had invested.

13 33. In August 2009, the Patel Defendants immediately came to California to meet
14 with Plaintiff to negotiate a return of his investments in the Palestine, Ennis and Corsicana
15 transactions. That is when Dhillon and the Patel Defendants perpetrated their additional fraud on
16 Plaintiff.

17 34. Dhillon and the Patel Defendants knew they needed to put a lid One World Bank
18 fraud, but also needed to clear the way to obtain bank financing for Corsicana transactions. M.
19 Patel, acting on behalf of Dhillon and all of the other Patel Defendants, negotiated a deal
20 whereby Dhillon, Sahani and Katari (the "Dhillon Defendants") would buy out Plaintiff's
21 membership interest in New Hope. Plaintiff received some cash and the balance was to be paid
22 by a promissory note secured against other hotel properties. M. Patel represented and warranted
23 that the properties used to secure the promissory note had sufficient equity to satisfy the
24 obligation.

25 35. Unknown to Plaintiff, at the time these negotiations were ongoing, Dhillon was
26 impairing the title to the properties to be used to secure the promissory note by recording liens
27 such that Plaintiff had no security at all.

28

36. As part of the transaction, the Dhillon Defendants and the Patel Defendants forced Plaintiff to give them all a release of liability in an effort to get out from under the forgery and bank fraud at One World Bank and in an effort cap off their liability in the amount of the promissory note.

FIRST CAUSE OF ACTION
RESCISSION BASED ON FRAUD

Against all Defendants

37. Plaintiffs incorporate by this reference each and every allegation contained in paragraphs 1 through 36 above, as though fully set forth herein.

38. After Plaintiff discovered that Defendants forged his signature to loan documents and otherwise submitted false information to One World Bank, Defendants knew that they needed to obtain a release of all claims from Plaintiff to prevent Plaintiff from airing these facts in litigation or otherwise.

39. Defendants engaged in a scheme to make Plaintiff believe that in exchange for giving them a release, that Defendants would refund to Plaintiff all of his investments in the various hotels. Defendants induced Plaintiff by giving Plaintiff some of his money back up front, but then inducing him to accept a promissory note for the balance of his investment. Because Defendants' knew that Plaintiff would not trust them to pay, Defendants went further.

40. In or about August 2009, M. Patel and C. Patel traveled to California for the specific purpose of meeting with Plaintiff and perpetrating the referenced fraud. M. Patel and C. Patel met with Plaintiff in California and during that meeting induced Plaintiff to enter into various agreements. Defendants induced Plaintiff to agree to accept a promissory note as repayment of his investment. As an additional inducement to Plaintiff, Defendants pledged security for the repayment of the note. Defendants offered to give Plaintiff deeds of trust secured against various real properties owned by and among the Defendants as security for the repayment of the note. Defendants represented and warranted that each of the individual properties securing the promissory note had equity in excess of the amount of the note.

1 41. To finalize the transaction, M. Patel traveled to California again in October 2009
2 and again met with Plaintiff in order to induce him to agree to Defendants' proposal.

3 42. Plaintiff is informed and believes and on the basis of said information and belief
4 alleges that the representations of Defendants were false. Defendants knowingly induced
5 Plaintiff to accept a promissory note they knew would never be repaid. Further, Defendants
6 knew that the real properties offered as security for the promissory note was over encumbered.
7 Plaintiff is further informed and believe that prior to entering into the transaction with Plaintiff,
8 Defendants caused false and fraudulent liens to be secured against the properties offered as
9 security in order to undermine the security offered to Plaintiff. All of Defendants' conduct was
10 designed to insure that Plaintiff was never repaid on the promissory note.

11 43. M. Patel went even further. As an additional inducement to lured Plaintiff into
12 agreeing to accept a promissory note, M. Patel feigned to guarantee repayment of the note. The
13 guarantee was feigned, as the promissory note was written in such a fashion that Defendants
14 could prevent Plaintiff from ever benefitting from the guarantee.

15 44. On the basis of Defendants' fraud, Plaintiff executed that certain Mutual Release
16 purporting to release Defendants from all claims associated with his investments with
17 Defendants, including the One World Bank fraud.

18 45. Defendants fraudulently induced Plaintiff to execute the Mutual Release.

19 46. As a result, the consent of Plaintiff to enter into the Mutual Release was procured
20 by fraud, as alleged herein. Unless the Mutual Release is rescinded, Plaintiff will suffer
21 irreparable harm.

22 SECOND CAUSE OF ACTION

23 FOR FRAUD

24 Against all Defendants --

25 47. Plaintiffs incorporate by this reference each and every allegation contained in
26 paragraphs 1 through 46 above, as though fully set forth herein.

27 48. After Plaintiff discovered that Defendants forged his signature to loan documents
28 and otherwise submitted false information to One World Bank, Defendants knew that they

1 needed to obtain a release of all claims from Plaintiff to prevent Plaintiff from airing these facts
2 in litigation or otherwise.

3 49. Defendants engaged in a scheme to make Plaintiff believe that in exchange for
4 giving them a release, that Defendants would refund to Plaintiff all of his investments in the
5 various hotels. Defendants induced Plaintiff by giving Plaintiff some of his money back up front,
6 but then inducing him to accept a promissory note for the balance of his investment. Because
7 Defendants' knew that Plaintiff would not trust them to pay, Defendants went further.

8 50. In or about August 2009, M. Patel and C. Patel traveled to California for the
9 specific purpose of meeting with Plaintiff and perpetrating the referenced fraud. M. Patel and C.
10 Patel met with Plaintiff in California and during that meeting induced Plaintiff to entered into
11 various agreements. Defendants induced Plaintiff to agree to accept a promissory note as
12 repayment of his investment. As an additional inducement to Plaintiff, Defendants pledged
13 security for the repayment of the note. Defendants offered to give Plaintiff deeds of trust secured
14 against various real properties owned by and among the Defendants as security for the repayment
15 of the note. Defendants represented and warranted that the each of the individual properties
16 securing the promissory note had equity in excess of the amount of the note.

17 51. To finalize the transaction, M. Patel traveled to California again in October 2009
18 and again met with Plaintiff in order to induce him to agree to Defendants' proposal.

19 52. Plaintiff is informed and believes and on the basis of said information and belief
20 alleges that the representations of Defendants were false. Defendants knowingly induced
21 Plaintiff to accept a promissory note they knew would never be repaid. Further, Defendants
22 knew that the real properties offered as security for the promissory note was over encumbered.
23 Plaintiff is further informed and believe that prior to entering into the transaction with Plaintiff,
24 Defendants caused false and fraudulent liens to be secured against the properties offered as
25 security in order to undermine the security offered to Plaintiff. All of Defendants' conduct was
26 designed to insure that Plaintiff was never repaid on the promissory note.

27 53. M. Patel went even further. As an additional inducement to lured Plaintiff into
28 agreeing to accept a promissory note, M. Patel feigned to guarantee repayment of the note. The

1 guarantee was feigned, as the promissory note was written in such a fashion that Defendants
2 could prevent Plaintiff from ever benefitting from the guarantee.

3 54. As a direct and proximate result of the conduct of Defendants, Plaintiff has been
4 damaged. The full nature, extent and amount of Plaintiff's damages have yet to be ascertained.
5 Plaintiff will amend this Complaint to set forth the amount of damages suffered when so
6 ascertained, however, in any event will be established at the time of trial according to proof.

7 55. Plaintiffs are informed and believe and on the basis of said information and belief
8 allege that Defendants' fraudulent conduct was taken with the intent to injure Plaintiff, or with a
9 willful and conscious disregard of Plaintiffs' right to property. Plaintiff is informed and believes
10 and on the basis of said information and belief allege that such fraudulent conduct constitutes
11 clear and convincing evidence of despicable, outrageous, oppressive, and malicious conduct
12 pursuant to California Civil Code §3294. As such, Plaintiff is entitled to punitive damages and
13 exemplary damages against Defendants for the sake of example and to punish Defendants for
14 their unlawful conduct.

15 THIRD CAUSE OF ACTION

16 FOR FRAUD

17 Against all Defendants

18 56. Plaintiffs incorporate by this reference each and every allegation contained in
19 paragraphs 1 through 55 above, as though fully set forth herein.

20 57. Defendants fraudulently induced Plaintiff into making investments in the various
21 real estate investments as set forth herein.

22 58. Dhillon represented himself to be an experienced real estate investor with
23 particular expertise in hotel properties. Further, Dhillon represented that he had expertise in the
24 Texas real estate market. Further, Dhillon represented that he was an experienced hotel operator.
25 As part of those representations, Dhillon further represented that Plaintiff would receive 20% or
26 more return on their investment. As part of those representations, Dhillon further represented
27 that Plaintiff could get all of their money back any time during the first year of their investment
28 for any reason.

- 11 -

COMPLAINT

1 59. Plaintiff is informed and believes and on the basis of said information and belief
2 alleges that Defendants made such representations knowing of the falsity thereof and with the
3 intent to defraud Plaintiff into making the various hotel investments.

4 60. Plaintiff relied on the representations of Defendants in investing in the
5 transactions. There was no reasonable way under the circumstances for Plaintiff to discover
6 Defendants' fraud. Defendants' fraudulent misrepresentations substantially influenced Plaintiff's
7 decision to make the investments and agree to be part of the various entities owning those
8 investments.

9 61. Defendants and other unnamed co-conspirators, knowingly and willfully
10 conspired and agreed among themselves and worked in concert with one another toward the
11 common goal of damaging Plaintiffs by the aforementioned fraud. The actions taken in
12 furtherance of the conspiracy resulted in direct benefits to Defendants in that they have received
13 personal financial benefits they would not have otherwise received. The actions of Defendants
14 resulted in direct harm to Plaintiff.

15 62. Further, Defendants aided and abetted the fraud by Dhillon by knowingly giving
16 substantial assistance or encouragement to Dhillon in the commission of those acts.

17 63. As a direct and proximate result of the conduct of Defendants, Plaintiff has been
18 damaged. The full nature, extent and amount of Plaintiff's damages have yet to be ascertained.
19 Plaintiff will amend this Complaint to set forth the amount of damages suffered when so
20 ascertained, however, in any event will be established at the time of trial according to proof.

21 64. Plaintiffs are informed and believe and on the basis of said information and belief
22 allege that Defendants' fraudulent conduct was taken with the intent to injure Plaintiff, or with a
23 willful and conscious disregard of Plaintiffs' right to property. Plaintiff is informed and believes
24 and on the basis of said information and belief allege that such fraudulent conduct constitutes
25 clear and convincing evidence of despicable, outrageous, oppressive, and malicious conduct
26 pursuant to California Civil Code §3294. As such, Plaintiff is entitled to punitive damages and
27 exemplary damages against Defendants for the sake of example and to punish Defendants for
28 their unlawful conduct.

FOURTH CAUSE OF ACTION
FOR FRAUDULENT CONCEALMENT

Against all Defendants

65. Plaintiff incorporates by this reference each and every allegation contained in paragraphs 1 through 64 above, as though fully set forth herein.

66. Defendants concealed their relationship between themselves in order to create the false impression that the transactions were legitimate arms-length transactions. Because Defendants were working through the Dhillon Defendants who has posed as partners with Plaintiff in these transactions, Defendants had a duty to disclose all facts and information they had concerning the transactions, including but not limited to (1) The true relationship between Dhillon Defendants and the Patel Defendants; (2) The financial arrangement between the Dhillon Defendants and the Patel Defendants; (3) The self-dealing as alleged herein; and (4) The inflated value of the real estate being purchased as alleged herein.

67. The foregoing were material facts that should have been disclosed.

68. Defendants and other unnamed co-conspirators, knowingly and willfully conspired and agreed among themselves and worked in concert with one another toward the common goal of damaging Plaintiff by the aforementioned fraud. The actions taken in furtherance of the conspiracy resulted in direct benefits to Defendants in that they have received personal financial benefits they would not have otherwise received. The actions of Defendants resulted in direct harm to Plaintiff.

69. Further, Defendants aided and abetted the fraud by Dhillon by knowingly giving substantial assistance or encouragement to Dhillon in the commission of those acts.

70. As a direct and proximate result of the conduct of Defendants, Plaintiff has been damaged. The full nature, extent and amount of Plaintiff's damages have yet to be ascertained. Plaintiff will amend this Complaint to set forth the amount of damages suffered when so ascertained, however, in any event will be established at the time of trial according to proof.

71. Plaintiff is informed and believes and on the basis of said information and belief alleges that Defendants' fraudulent conduct was taken with the intent to injure Plaintiff, or with a

1 willful and conscious disregard of Plaintiff's rights and property. Plaintiff is informed and
2 believes and on the basis of said information and belief alleges that such fraudulent conduct
3 constitutes clear and convincing evidence of despicable, outrageous, oppressive, and malicious
4 conduct pursuant to California Civil Code §3294. As such, Plaintiff is entitled to punitive
5 damages and exemplary damages against Defendants for the sake of example and to punish
6 Defendants for their unlawful conduct.

7 **FIFTH CAUSE OF ACTION**

8 **FOR UNFAIR BUSINESS PRACTICE IN VIOLATION OF**
9 **CALIFORNIA BUSINESS & PROFESSIONS CODE §17200**

10 *et seq.*

11 Against all Defendants

12 72. Plaintiff incorporates by this reference each and every allegation contained in
13 paragraphs 1 through 71 above, as though fully set forth herein.

14 73. Each of the acts alleged herein is either unfair, illegal or fraudulent and has
15 damaged Plaintiffs as set forth herein.

16 74. Plaintiff is entitled to recovery of the funds rightfully belonging to them but taken
17 by Defendants as a result of their unfair competition and are entitled to the disgorgement of said
18 ill-gotten gains and the restitution thereof, pursuant to both principles of common law and the
19 provisions of California Business & Professions Code §17203.

20 **WHEREFORE**, Plaintiff prays for judgment against the Defendants, and each of them as
21 follows:

22 **ON THE FIRST CAUSE OF ACTION**

- 23 1. For Rescission of the Mutual Release and such other documents as necessary;
24 2. For consequential and incidental damages according to proof;
25 3. For punitive and exemplary damages according to proof at trial.

26 **ON THE SECOND CAUSE OF ACTION**

- 27 1. That Defendants be ordered to pay to Plaintiff's damages in an amount according
28 to proof;

- 1 2. For consequential and incidental damages according to proof;
- 2 3. For punitive and exemplary damages according to proof at trial.

3 ON THE THIRD CAUSE OF ACTION

- 4 1. That Defendants be ordered to pay to Plaintiff's damages in an amount according
- 5 to proof;
- 6 2. For consequential and incidental damages according to proof;
- 7 3. For punitive and exemplary damages according to proof at trial.

8 ON THE FOURTH CAUSE OF ACTION

- 9 1. That Defendants be ordered to pay to Plaintiff's damages in an amount according
- 10 to proof;
- 11 2. For consequential and incidental damages according to proof;
- 12 3. For punitive and exemplary damages according to proof at trial.

13 ON THE FIFTH CAUSE OF ACTION

- 14 1. For injunctive and equitable relief;
- 15 2. For disgorgement of profits
- 16 3. For consequential and incidental damages according to proof;

17 ON ALL CAUSES OF ACTION

- 18 1. For reasonable attorneys fees as permitted by law or otherwise according to proof;
- 19 2. For costs of suit herein incurred; and
- 20 3. For such other and further relief as the Court may deem proper.

21
22 DATED: April 15, 2011

SMITH LAW FIRM
A Professional Law Corporation

23
24 By:

25 CRAIG R. SMITH
26 Attorneys for Plaintiff
27 JASBIR SANGHA
28

CM-015 ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Craig R. Smith Craig R. Smith, Esq. (#180338) SMITH LAW FIRM, APLC 21550 Oxnard Street, Suite 760 Woodland Hills, California 91367 TELEPHONE NO.: 818-703-6057 FAX NO. (Optional): 818-703-6058 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff		FOR COURT USE ONLY CONFORMED COPY OF ORIGINAL FILED Los Angeles Superior Court APR 18 2011 John A. Clarke, Executive Officer/Clerk by <u>NEELAM</u> Deputy ASST. CLERK - STATION
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. HILL STREET MAILING ADDRESS: CITY AND ZIP CODE: LOS ANGELES, CALIFORNIA 90012 BRANCH NAME: CENTRAL		CASE NUMBER: BC459820 JUDICIAL OFFICER: DEPT.:
PLAINTIFF/PETITIONER: JASBIR SANGHA DEFENDANT/RESPONDENT: MEHUL PATEL aka MIKE PATEL, ETC., ET AL.		NOTICE OF RELATED CASE

Identify, in chronological order according to date of filing, all cases related to the case referenced above.

1. a. Title: MANMOHAN CHHABRA etc., et al. v. MEHUL PATEL etc., et al.
 b. Case number: BC438430
 c. Court: ☒ same as above
☐ other state or federal court (name and address):
 d. Department: 26
 e. Case type: ☐ limited civil ☒ unlimited civil ☐ probate ☐ family law ☐ other (specify):
 f. Filing date: May 25, 2010
 g. Has this case been designated or determined as "complex?" ☐ Yes ☒ No
 h. Relationship of this case to the case referenced above (check all that apply):
☒ involves the same parties and is based on the same or similar claims.
☒ arises from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact.
☐ involves claims against, title to, possession of, or damages to the same property.
☒ is likely for other reasons to require substantial duplication of judicial resources if heard by different judges.
☐ Additional explanation is attached in attachment 1h
 i. Status of case:
☒ pending
☐ dismissed ☐ with ☐ without prejudice
☐ disposed of by judgment
2. a. Title:
 b. Case number:
 c. Court: ☐ same as above
☐ other state or federal court (name and address):
 d. Department:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
 NOTICE OF CASE ASSIGNMENT - UNLIMITED CIVIL CASE
 Case Number

BC459820

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

Your case is assigned for all purposes to the judicial officer indicated below (Local Rule 7.30). There is additional information on the reverse side of this form

ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
Hon. Carolyn B. Kuhl	1	534	Hon. Holly B. Kendig	42	416
Hon. J. Stephen Czuleger	3	224	Hon. Mel Red Recana	45	529
Hon. Luis A. Lavin	13	630	Hon. Debra Katz Weintraub	47	507
Hon. Terry A. Green	14	300	Hon. Elizabeth Allen White	48	506
Hon. Richard Fruin	15	307	Hon. Deirdre Hill	49	509
Hon. Rita Miller	16	306	Hon. John Shepard Wiley Jr.	50	508
Hon. Richard E. Rico	17	309	Hon. Abraham Khan	51	511
Hon. Rex Heeseaman	19	311	Hon. Susan Bryant-Deason	52	510
Hon. Kevin C. Brazile	20	310	Hon. John P. Shook	53	513
Hon. Zaven V. Sinanian	23	315	Hon. Ernest M. Hiroshige	54	512
Hon. Robert L. Hess	24	314	Hon. Malcolm H. Mackey	55	515
Hon. Mary Ann Murphy	25	317	Hon. Michael Johnson	56	514
Hon. James R. Dunn	26	316	Hon. Ralph W. Dau	57	517
Hon. Yvette M. Palazuelos	28	318	Hon. Rolf M. Treu	58	516
<i>Pending Assignment</i>	30	400	Hon. David L. Minning	61	632
Hon. Alan S. Rosenfield	31	407	Hon. Michael L. Stern	62	600
Hon. Mary H. Strobel	32	406	Hon. Kenneth R. Freeman	64	601
Hon. Charles F. Palmer	33	409	Hon. Mark Mooney	68	617
Hon. Amy D. Hogue	34	408	Hon. Ramona See	69	621
Hon. Daniel Buckley	35	411	Hon. Soussan G. Bruguera	71	729
Hon. Gregory Alarcon	36	410	Hon. Ruth Ann Kwan	72	731
Hon. Joanne O'Donnell	37	413	Hon. Teresa Sanchez-Gordon	74	735
Hon. Maureen Duffy-Lewis	38	412	Hon. William F. Fahey	78	730
Hon. Michael C. Solner	39	415	Hon. Emilie H. Elias*	324	CCW
Hon. Michelle R. Rosenblatt	40	414	other		
Hon. Ronald M. Sohigian	41	417			

***Class Actions**

All class actions are initially assigned to Judge Emilie H. Elias in Department 324 of the Central Civil West Courthouse (600 S. Commonwealth Ave., Los Angeles 90005). This assignment is for the purpose of assessing whether or not the case is complex within the meaning of California Rules of Court, rule 3.400. Depending on the Outcome of that assessment, the class action case may be reassigned to one of the judges of the Complex Litigation Program or reassigned randomly to a court in the Central District.

Given to the Plaintiff/Cross-Complainant/Attorney of Record on _____ By JOHN A. CLARKE, Executive Officer/Clerk
 Deputy Clerk
 LACIV CCH 190 (Rev. 04/10)
 LASC Approved 05-06
 NOTICE OF CASE ASSIGNMENT -
 UNLIMITED CIVIL CASE
 Page 1 of 2

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Craig R. Smith Craig R. Smith, Esq. (#180338) SMITH LAW FIRM, APLC 21550 Oxnard Street, Suite 760 Woodland Hills, California 91367 TELEPHONE NO.: 818-703-6057 FAX NO.: ATTORNEY FOR (Name): Plaintiff		CM-010 FOR COURT USE ONLY CONFORMED COPY OF ORIGINAL FILED Los Angeles Superior Court APR 18 2011 John A. Clarke, Executive Officer By <u>[Signature]</u> , Deputy <u>KEITH LEON CLAYTON</u>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 N. HILL STREET MAILING ADDRESS: CITY AND ZIP CODE: LOS ANGELES, CALIFORNIA 90012 BRANCH NAME: CENTRAL		CASE NUMBER: BC459820 JUDGE: DEPT:
CASE NAME: SANGHA V PATEL		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Complex Case Designation Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		CASE NUMBER: BC459820 JUDGE: DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input checked="" type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve c. <input type="checkbox"/> Substantial amount of documentary evidence	d. <input type="checkbox"/> Large number of witnesses e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court f. <input type="checkbox"/> Substantial postjudgment judicial supervision
--	--

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive

4. Number of causes of action (specify): **Five Causes of Action**

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related cases (Vb) may use form CM-016.)

Date: **April 15, 2011**
 Craig R. Smith
 (TYPE OR PRINT NAME)

- NOTICE**
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed in sanctions).
 - File this cover sheet in addition to any cover sheet required by local court rule.
 - If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
 - Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
 Judicial Council of California
 CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Legal
 Solutions
 to Plus

Cal. Rules of Court, rules 2.30, 3.220, 3.400-3.403, 3.740;
 Cal. Standards of Judicial Administration, std. 3.10

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

Other P/DPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (not asbestos or toxic/environmental) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice

Other P/DPD/WD (23)

Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/DPD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress

Other P/DPD/WD

Non-P/DPD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (not medical or legal)
Other Non-P/DPD/WD Tort (35)
Employment
Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (not unlawful detainer or wrongful eviction)
Contract/Warranty Breach—Seller Plaintiff (not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (not provisionally complex) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (non-domestic relations)
Sister State Judgment
Administrative Agency Award (not unpaid taxes)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (not specified above) (42)
Declaratory Relief Only
Injunctive Relief Only (non-harassment)
Mechanics Lien
Other Commercial Complaint Case (non-tort/non-complex)
Other Civil Complaint (non-tort/non-complex)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (not specified above) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Page 2 of 2

NOTICE SENT TO:

Smith, Craig R.
 Smith Law Firm, APLC
 21550 Oxnard Street, Suite 760
 Woodland Hills CA, 91367

CONFORMED COPY
 ORIGINAL FILED
 Superior Court of California
 County of Los Angeles

MAY 11 2011

John A. Clarke, Executive Officer/Clerk
 By _____, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

JASBIR SANGHA

VS.

Plaintiff(s).

CASE NUMBER

BC459820

MEHUL PATEL ET AL

Defendant(s).

NOTICE OF CASE
MANAGEMENT CONFERENCE

TO THE PLAINTIFF(S)/ATTORNEY(S) FOR PLAINTIFF(S) OF RECORD:

You are ordered to serve this notice of hearing on all parties/attorneys of record forthwith, and meet and confer with all parties/attorneys of record about the matters to be discussed no later than 30 days before the Case Management Conference.

Your Case Management Conference has been scheduled for August 4, 2011 at 8:30 am in Dept. 55 at 111 North Hill Street, Los Angeles, California 90012.

NOTICE TO DEFENDANT: THE SETTING OF THE CASE MANAGEMENT CONFERENCE DOES NOT EXEMPT THE DEFENDANT FROM FILING A RESPONSIVE PLEADING AS REQUIRED BY LAW.

Pursuant to California Rules of Court, rules 3.720-3.730, a completed Case Management Statement (Judicial Council form # CM-110) must be filed at least 15 calendar days prior to the Case Management Conference. The Case Management Statement may be filed jointly by all parties/attorneys of record or individually by each party/attorney of record. You must be familiar with the case and be fully prepared to participate effectively in the Case Management Conference.

At the Case Management Conference, the Court may make pretrial orders including the following, but not limited to, an order establishing a discovery schedule; an order referring the case to Alternative Dispute Resolution (ADR); an order reclassifying the case; an order setting subsequent conference and the trial date; or other orders to achieve the goals of the Trial Court Delay Reduction Act (Gov. Code, section 68600 et seq.)

Notice is hereby given that if you do not file the Case Management Statement or appear and effectively participate at the Case Management Conference, the Court may impose sanctions pursuant to LASC Local Rule 7.13, Code of Civil Procedure sections 177.5, 575.2, 583.150, 583.360 and 583.410, Government Code Section 68608 (b), and California Rules of Court 2.2 et seq.

Date: May 11, 2011

M. H. MACKEY

Judicial Officer

CERTIFICATE OF SERVICE

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Case Management Conference upon each party or counsel named above:

[] by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed herein in a separate sealed envelope to each address as shown above with postage thereon fully prepaid.

[] by personally giving the party notice upon filing the complaint.

Date: May 11, 2011

John A. Clarke, Executive Officer/Clerk

by L. Gomez, Deputy Clerk

LACIV 132 (Rev. 09/07)
 LASC Approved 10-03

Cal. Rules of Court, rule 3.720-3.730
 LASC Local Rules, Chapter Seven

EXHIBIT B

Exhibit B

**TO THE NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §§ 1332 AND 1441**



Office of the Secretary of State
Reports Unit
P.O. Box 12028
Austin, Texas 78711-2028
(Form 804)

Filed in the Office of the
Secretary of State of Texas
Filing #: 800324955 03/09/2009
Document #: 249063960002
Image Generated Electronically
for Web Filing

PERIODIC REPORT - DOMESTIC LIMITED PARTNERSHIP

File Number: **800324955**

1. The limited partnership name is: **Newcrest Hotels, Ltd.**
2. It is organized under the laws of: **TEXAS, USA**
3. The name of the registered agent is: **Thomas J. Colven III**
4. The registered office address, which is identical to the business office address of the registered agent in Texas, is:
5420 LBJ Freeway, Suite 300, Dallas, TX, USA 75240-6271
5. The address of the principal office in the United States where the records are to be kept or made available is:
1431 Greenway Dr, #915, Irving, TX, USA 75038
6. The names and addresses of all general partners of the limited partnership are:

General Partner 1: (Business Name)	Capital Structure, LLC
Address:	1431 Greenway Dr #915 Irving, TX, USA 75038

Execution:

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: **March 9, 2009**

Thomas J. Colven, III

Signature of authorized officer

FILING OFFICE COPY

00007670498

Filing Number: 800754360

TX 2010

Ver. 1.0

05-102

(9-09/29)

Tcode 13196

TEXAS FRANCHISE TAX PUBLIC INFORMATION REPORT

To be filed by Corporations, Limited Liability Companies (LLCS) and Financial Institutions

This report MUST be signed and filed to satisfy franchise tax requirements

Taxpayer number

Report year

You have certain rights under Chapter 552 and 559, Government Code,

to review, request, and correct information we have on file about you.

Contact us at: (512) 463-4600, or (800) 252-1381, toll free nationwide.

32024416177

2010

Taxpayer name

CORRICANA LODGING, LLC

Mailing address

1135 KINWEST PKWY, SUITE 150

City

IRVING

State

TX

ZIP Code

75063

Plus 4

Secretary of State file number or
Comptroller file number

0800754360

☐ Check box if there are currently no changes from previous year; if no information is displayed, complete the applicable information in Sections A, B and C.

Principal office

1135 KINWEST PKWY, SUITE 150 IRVING

TX 75063

Principal place of business

1135 KINWEST PKWY, SUITE 150 IRVING

TX 75063

Please sign below!

Officer, director and member information is reported as of the date a Public Information Report is completed. The information is updated annually as part of the franchise tax report. There is no requirement or procedure for supplementing the information as officers, directors, or members change throughout the year.

3202441617710

SECTION A Name, title and mailing address of each officer, director or member.

Name

Title

Director

m m d d y y

MEHUL PATEL

Mailing address

308 WRIGHT AVENUE

Name

MANAGING MEMBER

City

ROCKWALL

Title

☒ YESTerm
expiration

State

TX

ZIP Code

75032

Director

m m d d y y

☒ YESTerm
expiration

State

TX

ZIP Code

75039

Director

m m d d y y

☒ YESTerm
expiration

State

TX

ZIP Code

76039

SANJAY PATEL

Mailing address

841 TERRAZA

Name

MEMBER

City

IRVING

Title

CHIRAG PATEL

Mailing address

405 DARLENE TRAIL

Name

MEMBER

City

EULESS

SECTION B Enter the information required for each corporation or LLC, if any, in which this entity owns an interest of ten percent (10%) or more.

Name of owned (subsidiary) corporation or limited liability company.

State of formation

Texas SOS file number, if any Percentage of Ownership

NONE

Name of owned (subsidiary) corporation or limited liability company.

State of formation

Texas SOS file number, if any Percentage of Ownership

SECTION C Enter the information required for each corporation or LLC, if any, that owns an interest of ten percent (10%) or more in this entity

or limited liability company.

Name of owned (parent) corporation or limited liability company

State of formation

Texas SOS file number, if any Percentage of Ownership

NONE

Registered agent and registered office currently on file. (See instructions if you need to make changes)

Check box if you need forms to change

☐ the registered agent or registered office information.

Agent: THOMAS J. COLVEN III

Office: 5420 LBJ FRWY #300

City
DALLASState
TXZIP Code
75240

The above information is required by Section 171.203 of the Tax Code for each corporation or limited liability company that files a Texas Franchise Tax Report. Use additional sheets for Sections A, B, and C, if necessary. The information will be available for public inspection.

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief, as of the date below, and that a copy of this report has been mailed to each person named in this report who is an officer, director or member and who is not currently employed by this, or a related, corporation or limited liability company.

sign
here

Title

MANAGER

Date

09/03/2010

Area code and phone number.

214-774-4650

Texas Comptroller Official Use Only

VEDE ☐PIR IND ☐

1022

EXHIBIT C

Exhibit C

**TO THE NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §§ 1332 AND 1441**

Case 2:11-cv-03724-RGK -VBK Document 32-1 Filed 06/10/11 Page 1 of 2 Page ID
#:1679

1 DANIEL C. LAPIDUS (Bar No. 227170)
Email: dan@lapiduslaw.com
2 JIM D. BAUCH (Bar No. 199454)
Email: jim@lapiduslaw.com
3 EVAN PITCHFORD (Bar No. 256536)
Email: evan@lapiduslaw.com
4 LAPIDUS & LAPIDUS
A PROFESSIONAL LAW CORPORATION
5 177 SOUTH BEVERLY DRIVE
BEVERLY HILLS, CALIFORNIA 90212
6 TEL: 310-550-8700
FAX: 310-943-2471

7 Attorneys for Defendant
8 Jagmohan Dhillon

9
10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 MANMOHAN CHHABRA; et al.,

13
14 Plaintiffs,

15 vs.

16 MEHUL PATEL aka MIKE PATEL; et
17 al.,

18 Defendants.

CASE NO.: 2:11-cv-03724-RGK (VBKx)

**DECLARATION OF JAGMOHAN
DHILLON IN SUPPORT OF NOTICE
OF JOINDER TO MOTION TO
TRANSFER**

[Notice of Joinder filed concurrently
herewith.]

Hearing

Date: July 25, 2011
Time: 9:00 a.m.
Courtroom 850
The Hon. R. Gary Klausner

Action Filed: May 25, 2010
Removal Date: April 29, 2011
Trial Date: None set

22
23
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25
26
27
28

DECLARATION OF JAGMOHAN DHILLON - 1

DECLARATION OF JAGMOHAN DHILLON

I, JAGMOHAN DHILLON, hereby declare as follows:

1. I am a defendant in this matter and have personal knowledge of each matter stated herein.

2. I am a resident of the State of Texas. I understand that my residence is within the North District of Texas, United States District Court.

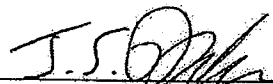
3. Third party witness Maggie Vogeler of Fidelity National Title Company works in the Northern District of Texas. Prior to the removal of this case, Plaintiffs noticed Ms. Vogeler's deposition and have identified her as a percipient witness to some of the transactions at issue in this case.

4. The interests of justice and the convenience of the parties (as well as many witnesses that also reside in Texas) would be served by transferring this action to the Northern District of Texas for the following reasons:

- a) It would be burdensome and inconvenient for me to attend trial in California because of the expense of travel and time away from my business in Texas.
- b) All of the original books and records in my possession, custody or control relating to this action are located in the district to which transfer is sought.
- c) I believe that it would be burdensome and inconvenient for, among others, third party witness Ms. Vogeler to attend trial in California because of the expense of travel and time away from her business in Texas.

I swear, under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 10, 2011, at FRISCO, Texas.



Jagmohan Dhillon

DECLARATION OF JAGMOHAN DHILLON - 2

EXHIBIT D

Exhibit D

**TO THE NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §§ 1332 AND 1441**



Secretary of State

Administration

Elections

Business Programs

Political Reform

Archives

Registries

Business Entities (BE)

Online Services

- Business Search
- Disclosure Search
- E-File Statements
- Processing Times

Main Page

Service Options

Name Availability

Forms, Samples & Fees

Annual/Biennial Statements

Filing Tips

Information Requests

(certificates, copies & status reports)

Service of Process

FAQs

Contact Information

Resources

- Business Resources
- Tax Information
- Starting A Business
- International Business Relations Program

Customer Alert

(misleading business solicitations)

Business Entity Detail

Data is updated weekly and is current as of Friday, August 19, 2011. It is not a complete or certified record of the entity.

Entity Name:	DHILLON MANAGEMENT, INC.
Entity Number:	C2673274
Date Filed:	09/08/2004
Status:	SUSPENDED
Jurisdiction:	CALIFORNIA
Entity Address:	2000 BRIDGET MARIE DR
Entity City, State, Zip:	MODESTO CA 95351
Agent for Service of Process:	VIRINDER S GREWAL
Agent Address:	1930 E HATCH RD STE B
Agent City, State, Zip:	MODESTO CA 95351

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code section 2114 for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to Name Availability.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to Information Requests.
- For help with searching an entity name, refer to Search Tips.
- For descriptions of the various fields and status types, refer to Field Descriptions and Status Definitions.

[Modify Search](#) [New Search](#) [Printer Friendly](#) [Back to Search Results](#)

[Privacy Statement](#) | [Free Document Readers](#)

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EXHIBIT E

Exhibit E

**TO THE NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §§ 1332 AND 1441**

00007113036

Filing Number: 801192896


 Computer
of Public
Accounts
FORM

 05-102
(9-09/29)
Tcode 13196

TEXAS FRANCHISE TAX PUBLIC INFORMATION REPORT

 To be filed by Corporations, Limited Liability Companies (LLC) and Financial institutions
This report MUST be signed and filed to satisfy franchise tax requirements

Taxpayer number

3 | 2 | 0 | 4 | 0 | 6 | 5 | 9 | 8 | 8 | 3 |

Report year

2 | 0 | 1 | 0

 You have certain rights under Chapter 552 and 559, Government Code,
to review, request, and correct information we have on file about you.
Contact us at: (512) 463-4600, or (800) 252-1381, toll free nationwide.

Taxpayer name

DHILLON MANAGEMENT, LLC

Mailing address

3400 PARKWOOD BLVD C/O LEGACY ROOM

City

FRISCO

State

TX

ZIP Code

75034

Plus 4

1968

 Secretary of State file number or
Comptroller file number

0801192896

Blacken circle if there are currently no changes from previous year; if no information is displayed, complete the applicable information in Sections A, B and C.

Principal office

3400 PARKWOOD BLVD C/O LEGACY ROOM, FRISCO, TX 75034

Principal place of business

3400 PARKWOOD BLVD C/O LEGACY ROOM, FRISCO, TX 75034

Please sign below!

 Officer, director and member information is reported as of the date a Public Information
Report is completed. The information is updated annually as part of the franchise tax
report. There is no requirement or procedure for supplementing the information as
officers, directors, or members change throughout the year.

SECTION A Name, title and mailing address of each officer, director or member.

Name

Title

JAGMAHON S. DHILLON

MEMBER

Mailing address

3400 PARKWOOD BLVD C/O LEGACY ROOM

Name

City

FRISCO

Title

Mailing address

City

Name

Title

Mailing address

City

Director

YES

Term expiration

m m d d y y

State

TX

ZIP code

75034

Director

YES

Term expiration

m m d d y y

State

TX

ZIP code

75034

Director

YES

Term expiration

m m d d y y

State

TX

ZIP code

75034

SECTION B Enter the information required for each corporation or LLC, if any, in which this entity owns an interest of ten percent (10%) or more.

Name of owned (subsidiary) corporation or limited liability company

State of formation

Texas SOS file number, if any Percentage of Ownership

Name of owned (subsidiary) corporation or limited liability company

State of formation

Texas SOS file number, if any Percentage of Ownership

SECTION C Enter the information required for each corporation or LLC, if any, that owns an interest of ten percent (10%) or more in this entity or limited liability company.

Name of owned (parent) corporation or limited liability company

State of formation

Texas SOS file number, if any Percentage of Ownership

Registered agent and registered office currently on file. (See instructions if you need to make changes)

Agent:

Office:

City

 Blacken circle if you need forms to change
the registered agent or registered office information

YES

State

ZIP Code

The above information is required by Section 171.203 of the Tax Code for each corporation or limited liability company that files a Texas Franchise Tax Report. Use additional sheets for Sections A, B, and C, if necessary. The information will be available for public inspection.

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief, as of the date below, and that a copy of this report has been mailed to each person named in this report who is an officer, director or member and who is not currently employed by this, or a related, corporation or limited liability company.

 sign
here

 Title
MEMBER

 Date
06/21/2010

 Area code and phone number
(972) 668 - 0327


VE/DE YES PIR IND YES



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Dale S. Fischer and the assigned discovery Magistrate Judge is Fernando M. Olguin.

The case number on all documents filed with the Court should read as follows:

CV11- 6970 DSF (FMOx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) JASBIR SANGHA	DEFENDANTS MEHUL PATEL aka MIKE PATEL; CHIRAG PATEL aka CHUCK PATEL; JAGMOHAN DHILLON; DHILLON MANAGEMENT, INC., a California corporation; HARMINDER DHILLON; GURENDER S. SAHANI; TARLOCHAN S. KATARIA; NEW HOPE HOSPITALITY, LLC, STARLITE HOTELS, LTD, a Texas limited partnership; NEWCREST HOTELS, LTD, a Texas limited partnership; CORSICANA LODGING, LLC, a Texas limited liability company; and DOES 1 through 100, inclusive
(b) Attorneys (Firm Name, Address and Telephone Number.) Craig R. Smith, SBN 180338 SMITH LAW FIRM 21021 Ventura Boulevard, Suite 450, Woodland Hills, CA 91364 Tel: 818-703-6057 / Fax: 818-703-6058	Attorneys (If Known) Jed P. White, SBN 232339 BRYAN CAVE LLP 120 Broadway, Suite 300, Santa Monica, CA 90401 Tel: 310-576-2100 / Fax: 310-576-2200 Email: jed.white@bryancave.com

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:10%;">PTF DEF</td> <td style="width:10%; text-align: center;"><input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1</td> <td style="width:33%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF DEF</td> <td style="width:10%; text-align: center;"><input type="checkbox"/> 4 <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td></td> <td style="text-align: center;"><input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td></td> <td style="text-align: center;"><input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td></td> <td style="text-align: center;"><input type="checkbox"/> 3 <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td></td> <td style="text-align: center;"><input type="checkbox"/> 6 <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF DEF	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF	<input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State		<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State		<input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country		<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation		<input type="checkbox"/> 6 <input type="checkbox"/> 6
Citizen of This State	PTF DEF	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF DEF	<input type="checkbox"/> 4 <input type="checkbox"/> 4														
Citizen of Another State		<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State		<input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5														
Citizen or Subject of a Foreign Country		<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation		<input type="checkbox"/> 6 <input type="checkbox"/> 6														

IV. ORIGIN (Place an X in one box only.) <input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge					
--	--	--	--	--	--

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ Unclear; at least \$423,000.00

VI. CAUSE OF ACTION (Cite the U. S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Plaintiff alleges 1) Rescission Based on Fraud; 2) Fraud; 3) Fraud; 4) Fraudulent Concealment; 5) Unfair Business Practice in Violation of CA Business & Professions Code § 17200 et seq. – Defendants contend diversity jurisdiction exists per 28 U.S.C. § 1332

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 22 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities – Employment <input type="checkbox"/> 446 American with Disabilities – Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 61 HIA(1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW 405(g) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number: CV11-06970

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

American LegalNet, Inc.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☐ No ☒ Yes

If yes, list case number(s): Case No. 2:11-cv-02974-RGK-VBK

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☐ No ☒ Yes

If yes, list case number(s): Case No. 2:11-cv-03724-RGK-VBK

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply)
- ☒
- A. Arise from the same or closely related transactions, happenings, or events; or
-
- ☒
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
-
- ☐
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
-
- ☐
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which
- EACH**
- named plaintiff resides.
-
- ☐
- Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:* San Bernardino

California County outside of this District; State, if other than California; or Foreign Country

Plaintiff Jasbir Sangha

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which
- EACH**
- named defendant resides.
-
- ☐
- Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*

California County outside of this District; State, if other than California; or Foreign Country

Please see attachment

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which
- EACH**
- claim arose.
-
- Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*

California County outside of this District; State, if other than California; or Foreign Country

Defendants contend all claims arose in Texas

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Jed P. White

Date August 24, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3 -1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**ATTACHMENT
IX. VENUE, (b)**

State in which EACH named defendant resides:

<u>Defendant</u>	<u>State</u>
Mehul Patel a.k.a. Mike Patel	Texas
Chirag Patel a.k.a. Chuck Patel	Texas
Jagmohan Dhillon	Texas
Dhillon Management, Inc.	Defunct California Co.
Harinder Dhillon	India
Gurender S. Sahani	Connecticut
Tarlochan S. Kataria	Texas
New Hope Hospitality, LLC	Texas
Starlite Hotels, Ltd	Texas
Newcrest Hotels, Ltd	Texas
Corsicana Lodging, LLC	Texas